

GENERAL ORDERS, }
No. 173. }

WAR DEPARTMENT,
ADJUTANT GENERAL'S OFFICE,
Washington, October 29, 1862.

I..At a General Court Martial, which convened at Headquarters of the Third Division, Army of the Southwest, Helena, Arkansas, on the 9th day of August, 1862, pursuant to General Orders, No. 42, dated August 8, 1862, from the said Headquarters, and of which Lieutenant Colonel RUDOLF BLOME, 4th Missouri Cavalry, was President, was arraigned and tried Private *Conrad Zachringer*, Company A, 12th Missouri Volunteers.

CHARGE 1st.—“Violation of the 7th Article of War.”

Specification—“In this; that said Private *Zachringer*, Company A, 12th Missouri Infantry, caused and excited mutiny, by taking hold of First Lieutenant Mittmann, then Officer of the Day, by the throat, and tried to prevent Lieutenant Mittmann from the execution of his duty. This in the camp of the 12th Missouri Volunteer Infantry, on the 10th day of August, 1862, near Helena, Arkansas.”

CHARGE 2d.—“Violation of the 9th Article of War.”

Specification 1st—“In this; that said Private *Conrad Zachringer*, of Company A, 12th Missouri Infantry Volunteers, did strike First Lieutenant Engelmann, and threw him on the ground.”

Specification 2d—“In this; that said Private *Conrad Zachringer*, of Company A, 12th Missouri Infantry, grasped in a violent manner First Lieutenant Mittmann by the throat, Lieutenant Mittmann being in the execution of his office. All this in the camp of the 12th Missouri Volunteer Infantry, on the 10th day of August, 1862, near Helena, Arkansas.”

CHARGE 3d.—“Violation of the 27th Article of War.”

Specification 1st—“In this; that said Private *Conrad Zachringer*, of Company A, 12th Missouri Volunteer Infantry, while taking

part in and exciting disorder, did refuse to obey the order of First Lieutenant Mittmann, 12th Missouri Infantry, and offered and did violence to First Lieutenant Mittmann, then Officer of the Day."

Specification 2d—"In this; that said Private *Conrad Zachringer*, of Company A, 12th Missouri Volunteer Infantry, did resist and strike First Lieutenant Engelmann, 12th Missouri Volunteer Infantry, who was aiding the Officer of the Day in quelling disorder. All this in the camp of the 12th Missouri Volunteer Infantry, on the 10th day of August, 1862, near Helena, Arkansas."

To which charges and specifications the accused pleaded as follows:

"That he was drunk, and knew nothing of them."

FINDING.

The Court, after mature deliberation upon the testimony adduced, finds the prisoner as follows:

Of the *Specification* to the 1st Charge, "Guilty."

Of the 1st CHARGE, "Guilty."

Of the 1st *Specification* to the 2d Charge, "Guilty."

Of the 2d *Specification* to the 2d Charge, "Guilty."

Of the 2d CHARGE, "Guilty."

Of the 1st *Specification* to the 3d Charge, "Guilty."

Of the 2d *Specification* to the 3d Charge, "Guilty."

Of the 3d CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, the said Private *Conrad Zachringer*, Company A, 12th Missouri Volunteers, two-thirds of the members concurring, "*To be shot to death, at such time and place as the Commanding General may direct.*"

II.. In accordance with the 5th section of the Act approved July 17, 1852, the proceedings in the case of Private *Conrad Zachringer* have been submitted to the President of the United States, and the following are his orders:

OCTOBER 25, 1862.

The prisoner's offense in this case, being to some extent the result of sudden passion, and not of premeditation, the sentence of death is mitigated to imprisonment for one year, commencing on this day, and to be dishonorably discharged the service, with loss of pay and emoluments.

A. LINCOLN.

III.. The sentence will be executed, under the direction of the proper officer.

BY ORDER OF THE SECRETARY OF WAR:

L. THOMAS,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

